

IFW

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|-----------------|
| Application Number | 10/635,100 |
| Filing Date | August 6, 2003 |
| First Named Inventor | Akira Ishibashi |
| Art Unit | 2883 |
| Examiner Name | Joanne H. Kim |
| Attorney Docket Number | 075834.00432 |

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment/Reply
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/
Incomplete Application
 - ☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation
Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify
below):

Remarks

The Commissioner is hereby authorized to charge any fees due or credit any overpayment to
Deposit account No. 50-1794

CUSTOMER NO. 33448

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Robert J. Depke, Howard & Knight LLP, 131 S. Dearborn St., 30th Fl, Chicago, Illinois 60603 | | |
| Signature | | | |
| Printed name | Robert J. Depke Esq. | | |
| Date | 12/21/04 | Reg. No. | 37,607 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|----------------------|------|----------|
| Signature | | | |
| Typed or printed name | Robert J. Depke Esq. | Date | 12/29/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/635,100 Confirmation No.: 6940
Applicant: Akira Ishibashi et al.
Filed: August 6, 2003
TC/A.U.: 2883
Examiner: Joanne H. Kim
Docket No.: 075834.00432
Customer No.: 33448

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

RESPONSE TO ELECTION/RESTRICTION

In response to the Restriction Requirement dated December 14, 2004, Applicants elect, with traverse, claims 1-66, of Invention I, directed to a device comprising an optical waveguide and a stress-luminescent material. Applicants therefore withdraw from prosecution in the above-identified application, claims 67-75, of Invention II, directed to a stress-luminescent composite material, but reserve herein the right to prosecute such claims in a later filed continuation or divisional application.

Applicants therefore await consideration and examination of elected claims 1-66, and respectfully request consideration on the merits in due course.

Respectfully submitted,

Date:

12/29/04

A large, stylized handwritten signature in black ink, appearing to read 'R. Depke', is written over a horizontal line.

(Reg. #37,607)

Robert J. Depke

HOLLAND & KNIGHT LLC

131 South Dearborn Street, 30th Floor

Chicago, Illinois 60603

Tel: (312) 422-9050

Attorney for Applicants




CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the
United States Postal Service as First Class Mail in an envelope addressed to:

**Mail Stop Amendment
Commissioner For Patents
Box 1450
Alexandria, VA 22313-1450**

DATE:

12/29/04 
Attorney for Applicants